



**Communications
Workers of America**

**The Connecticut Union
of
Telephone Workers, Inc.**



Local 1298
AFL-CIO

3055 Dixwell Avenue • Hamden, CT 06518 • (203) 288-5271 • Toll Free (800) 833-2889

Testimony of CWA Local 1298

Labor and Public Employees Committee Hearing

March 9, 2023

Submitted by David Weidlich Jr., President Local 1298

HB 6862 An Act Concerning Broadband Construction and the Prevailing Wage

Good afternoon and thank you for allowing me the opportunity to testify today. My name is David Weidlich Jr. I am the President of Local 1298 of the Communications Workers of America. Local 1298 represents more than 2000 telecommunications workers who deliver high-quality broadband to Connecticut families across the State.

I have worked at SNET, SBC, AT&T and now Frontier for over 38 years. I've seen many changes in the industry throughout the years and right now, Connecticut has a once-in-a-generation opportunity to realize the goal of delivering high-speed internet to everyone, which we know is critical for the prosperity of our State. President Biden's federal infrastructure package has positioned Connecticut to receive nearly \$95 million in federal infrastructure funding for the purpose of ensuring that all Connecticut families have access to high-speed broadband. This will allow Connecticut to finally connect the many unserved and underserved households and small businesses in urban and rural parts of our state that have suffered due to a lack of a high-speed connection.

In order to best reach the goals of universal access to high-speed, high-quality broadband and good jobs in the industry, the federal recommendations should be codified into legislation. Legislation that guarantees all public dollars for broadband deployment supports high-quality networks, expeditious deployment, good jobs with high-road employers, and reliable delivery of high-speed broadband to all people in Connecticut who lack adequate service today.

We are deeply concerned about the use of low-road subcontractors, who often come from out of state, rush through jobs, and compromise both worker safety and the quality of deployment. Public dollars should be used to fund high-quality networks - which require the use of a well-trained workforce. Additionally, these funds should support good jobs in the industry, which means employers with a directly-employed workforce, in-house training, and a track record of robust compliance with State and Federal laws around worker health and safety.

Labor standards ensure that public dollars only go to high-road employers and that broadband providers uphold high standards in the construction of broadband networks. In an effort to cut costs, many providers rely on a multilayered structure of subcontractors that are unaccountable to the public and to their employees. Typically, these contractors are non-union, lack adequate safety training, have very high turnover, and undermine the wages and standards established by union-represented telecom employees through collective bargaining agreements. The result is a disturbing record of accidents that cause damage to utilities, public property, and homes while presenting serious risks to workers and public safety.

While there are many examples throughout the country, we have examples in our own state of Connecticut. Last summer, Frontier Communications was fined \$5 million by the Connecticut Public Utilities Regulatory Authority (PURA), in part due to unsafe broadband installation performed by contractors, as opposed to their highly-skilled and trained, directly employed workforce. PURA stated that Frontier's contractors have been: "using unsafe excavation practices for trenchless excavation."¹ Regulators said that "not only are Frontier and its contractors knowingly and willfully violating the law, but the contractors also appear to be fraudulently concealing the violations in some instances by using fake [and UNSAFE] conduits." Prior to this instance, in 2021 PURA made companies (including Frontier) replace hundreds of structures that were deemed "deteriorated, unsafe or in *immediate* danger of falling."² Thematically, these projects have been characterized by the use of low-road contractors and unsafe construction. In order to protect the public, ensure the work is done well, and promote good jobs, labor standards must ensure that broadband deployment is done by high-road employers and a directly employed workforce.

To mitigate the risk of failed projects, the State should require that entities that receive public dollars for broadband, in advance of receiving an award, demonstrate their capacity to deliver the promised deployment and service. Prequalification language, which requires that only qualified and law-abiding companies are eligible to apply for funding, is important to safeguard the public's investment. A prequalification scheme can include factors like previous work on similar projects, past findings of fraud, past findings of legal violations, including labor and employment laws, or past findings of government contracting malfeasance. The State can and should require the submission of information on the entity's existing subscriber revenues, its financial statements, and other evidence of its ability to successfully build, operate, and maintain a viable broadband network.

Additionally, it is important that all publicly funded broadband deployment should be clarified to be prevailing wage. Prevailing wage policies offer one effective approach to avoiding a race to the bottom on wages. Studies of prevailing wage in practice show that such policies boost productivity, reduce injury rates, and help address the shortage of skilled labor. Numerous studies indicate that prevailing wage laws do not increase construction costs, instead

¹ Turmelle, Luther. "Frontier hit with \$5M fine in CT for 'reckless' fiberoptic work." *CT Insider*, 29 July 2022, <https://www.ctinsider.com/business/article/Regulators-fine-Frontier-5M-and-order-17337324.php>. Accessed 16 February 2023.

² Doyle, Kerry. "Frontier's frictions bring fiber frenzy fault-finding to the foreground." *Light Reading*, 25 August 2022, <https://www.lightreading.com/opticalip-networks/frontiers-frictions-bring-fiber-frenzy-fault-finding-to-foreground/d/d-id/779936>. Accessed 16 February 2023.

incentivizing more skilled construction labor to replace less-skilled counterparts, and capital equipment investments. Prevailing wage standards are also not associated with reduced bid competition, and result in more work being done by local contractors and employees as opposed to crews from out of state.

While the State should encourage innovative approaches to broadband deployment, not all broadband technologies are created equal. Fiber technology remains far superior to fixed wireless. Fiber is able to scale to meet increased network demands and it requires much less maintenance and fewer upgrades. Fiber does not require amplifiers on telephone poles to transmit signals, reducing its energy demand and carbon footprint, and simplifying repairs during electrical outages. Nothing matches fiber for overall capability. Fixed wireless may make sense in a very limited set of circumstances, however, projects should prioritize fiber. Any applicant seeking public funding for fixed wireless should provide a detailed explanation and financial analysis for why fixed broadband is not a feasible approach.

Connecticut has an unprecedented opportunity to deliver high-quality, high-speed broadband to all Connecticut residents and these critical provisions must be included to ensure the highest quality public investment while safeguarding good jobs for telecom workers. We encourage the committee to support this bill.

Thank you for your time.